

Attorney's Docket No.: 06618-641001/CIT 3221

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Marcel Gavrilu et al. Art Unit: 2643
Serial No.: 09/681,728 Examiner: Suhan Ni
Filed : May 29, 2001
Title : RESONANT FREQUENCY ADJUSTMENT USING TUNABLE DAMPING
RODS

Commissioner for Patents
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Alexandria, VA 22313-1450

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OKRESPONSE TO RESTRICTION REQUIREMENT

In response to the Notice of Restriction dated October 6, 2003, applicants herewith elect the Group I claims 1-3, 5-9 and 13, with traverse.

The reasons for traversal follows. The restriction states that Group I is drawn to a method of acoustic damping, and Group II is drawn to a method of vibration damping. However, claim 14 is relating to a device with a resonant frequency tuning element having a sound damping element on it (hence "acoustic damping"). While admittedly, claim 20 defines a sound damping material on a mechanical structure. It is respectfully suggested that at least claims 14-19 should be within the "acoustic damping" Group I.

In addition, claim 1 was set forth in both Groups I and II. It is logically impossible that the same claim could be in two "distinct" groups relating to inventions which are distinct.

For this reason, the restriction is traversed.

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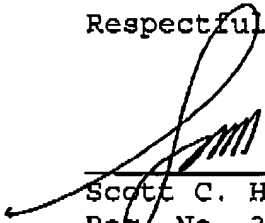
Lucille M. Begala

Attorney Docket No. 06618-641001
Appl. No. 09/681,728
Response filed October 22, 2003
Reply to Amendment dated October 6, 2003

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Respectfully submitted,

Date: 10/28/03



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FACSIMILE COMMUNICATION

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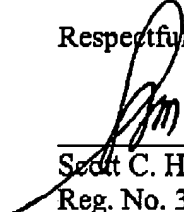
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Sir:

Attached to this facsimile communication cover sheet is Response, faxed this 22nd day of October, 2003, to Group 2643, the United States Patent and Trademark Office.

Respectfully submitted,

Date: October 22, 2003



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